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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,720	05/01/2001	Mark Kruger	PALM-3629.US.P	7066

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WAGNER, MURABITO & HAO LLP
Two North Market Street, Third Floor
San Jose, CA 95113

EXAMINER

LIN, KELVIN Y

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 03/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/847,720

Applicant(s)

KRUGER ET AL.

Examiner

Kelvin Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Response to Amendment

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Jain et al., (US Patent 5606596).
2. Regarding claim 1, Jain teaches a method of establishing one of a plurality of network links on a computer system, comprising the steps of:
 - a. Associating one or more alternative network link designations with one or more of said network links (Jain, col. 2, l.64-67);
 - b. Requesting first network link of said plurality of network links (Jain, col.6, l.8);
 - c. Initiating said first network link (Jain, col.3, l.1-2);
 - d. Determining whether a particular alternative network link designation is associated with said first network link (Jain, col. 3, l.8-10); and
 - e. If said step c) fails to establish said first network link and if said particular alternative network link designation is associated with said first network link, initiating a particular network link of said plurality of network links based one said particular alternative network link designation (Jain, col.3, l.9-11).
3. Regarding claim 2, Jain further discloses a method as recited in claim 1 further

comprising the steps of:

- f. Determining whether a second alternative network link designation is associated with said particular network link (Jain, col. 3, l.2-3); and
 - g. If said step e) fails to establish said particular network link and if said second alternative network link designation is associated with said particular network link, initiating a second network link of said plurality of network links based on said second alternative network link designation (Jain, col. 3, l.6-8).
- 4. Regarding claim 3, Jain further discloses a method as recited in claim 1 further comprising the steps of:
 - h. If said step e) fails to establish said particular network link, initiating said first network link (Jain, col. 3, l.49-51).
- 5. Regarding claim 4, Jain further discloses a method as recited in claim 1 further comprising the steps of:
 - i. If said step e) fails to establish said particular network link, initiating a second network link of said plurality of network links based on said alternative network link designation (Jain, col. 3, l.25-26).
- 6. Regarding claim 5, Jain further discloses a method as recited in claim 1 further comprising the steps of:
 - Indicating to a user whether said first network link was established(Jain, col.11, l.55-56).;

- and enabling said user to discontinue establishment of said particular network link (Jain, col.2, l.31-32).

7. Regarding claim 6, Jain further discloses a method as recited in claim 1 wherein said step b) includes:

- Sending a network open request to a shared library of said computer system (Jain, col. 7, l.15-18)

8. Regarding claim 7, Jain further discloses a method as recited in claim 1 wherein Said computer system comprises a personal digital assistant (Jain, col.1, l. 33-35).

9. Regarding claims 8-14 have similar limitation as claims 1-7. Therefore, claims 8-14 are rejected under Jain for the same reason set forth in the rejection of claims 1-7.

10. Regarding claims 15-21 have similar limitation as claims 1-7. Therefore, claims 15-21 are rejected under Jain for the same reason set forth in the rejection of claims 1-7.

11. Regarding claims 22-27 have similar limitation as claims 1-3, and 5-7. Therefore, claims 22-27 are rejected under Jain for the same reason set forth in the rejection of claims 1-3, and 5-7.

Response to Remarks

1. The Application's arguments with respect to claims 1-27 have been considered but are not persuasive. Examiner appreciates detail description of prior art.
2. Regarding claim 1, applicant argues that "... fails to disclose operations performed by the PCS user/device to initiate a network link with the network and to response to the failure or establishing the network link with the network...". Examiner contends Jain's teaching, which locates the destination link by FIND, and forwarding MOVE and set up the forwarding points (which means link) from switch a to switch b. The pointer from a to b is then followed to determine the correct location. (Jain, col.10, l.26-35, l.56-62). In the FIND procedure, if the location not being found in the LOCATION_CACH, the pointed VLR returns a "cache miss" in (Jain, Fig.3a, 3b, col.7, l.13-27), which means either the link or switch failure.
3. Furthermore, applicant argues that "... fails to disclose associating alternative network link designations with the network links". Jain clearly teaches the "alternative network link designations with the network links", when the switch receives a call origination (from either wireline or wireless caller) directed to a PCS subscriber, first check the cache to see if the location information for the called party is maintained in (Jain, col.7, l.2-20). If not, Basic Find is followed as described in (Jain, col.6, l.60-67, col.7, 1-12). And the links include wireless and wireline link. (Jain, col. 1, l.47-53).
4. In addition, applicant argues that " Jain does not discloses that If the network link cannot be established, the PCS device attempts to established an alternative network

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link based on the alternative network link designation rather than simply providing to the PSC user an error message". Jain clearly teaches the pointer encountered at switches could be automatically updated to point to the new VLR. (Jain, col.14, l.63-67). And it would be to avoid incorrect pointers.... during switch failure. (Jain, col.15, l.1-3).

Conclusion

Application's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MEPE 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this inal action is set to expire THREE MONTHS from the mailing date of this action. In the event a first replay is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTH from the date of this final action.

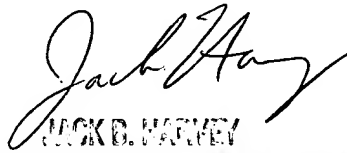
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 703-605-1726. The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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3/23 /2005


JACK B. HARVEY
SUPERVISOR, PATENT EXAMINER